

**MINUTES OF THE
AUBURN CITY PLANNING COMMISSION
DECEMBER 5, 2006**

The regular session of the Auburn City Planning Commission was called to order on December 5, 2006 at 6:26 p.m. by Chairman Thompson in the Council Chambers, 1225 Lincoln Way, Auburn, California.

COMMISSIONERS PRESENT: Kosla, Merz, Smith, Worthington, Chrm. Thompson

COMMISSIONERS ABSENT: None

STAFF PRESENT: Will Wong, Community Development Director; Steve Geiger, Associate Planner; Reg Murray, Senior Planner; Sue Fraizer, Administrative Assistant

ITEM I: CALL TO ORDER

ITEM II: APPROVAL OF MINUTES

The minutes of the November 21, 2006 meeting were approved as submitted.

ITEM III: PUBLIC COMMENT

None.

ITEM IV: PUBLIC HEARING ITEMS

- A. Amendment to Subdivision Condition of Approval – 480 Miles Court (Woodland Estates Subdivision) – File #SUB AMEND 782.** The applicant requests approval of an Amendment to an existing condition of approval for the Woodland Estates subdivision. Said condition requires that fences and walls located within the 20 foot rear yard setback of Lots 24 through 29 (along High Street) shall be limited to a maximum height of 3 feet. The applicant is requesting modification to this condition to allow for a six (6) foot high alternating solid stucco and open wrought iron type fence with seven (7) foot posts within the rear yard of Lot 28 (480 Miles Court). *THIS ITEM CONTINUED FROM THE NOVEMBER 7, 2006 PLANNING COMMISSION*

MEETING.

Planner Geiger gave the staff report. This item was originally heard at the November 7 meeting. At that meeting the Commission expressed concerns that property owners within the subdivision may not have fully understood the potential impact of the Commission's considerations in amending the condition for the fence height. At the Commission's request, staff mailed a more detailed letter explaining and outlining the proposal. Staff has not received any phone calls or letters in response to this letter. The Commission also asked staff to return with other approval options. The developer of the subdivision was contacted. He wrote a letter to staff indicating that he is in favor of this project, and is able to modify the CC & R's to allow for the higher fence height. He also provided a copy of the CC & R's to staff.

The applicant requests an amendment to Condition #5D to allow for a six (6) foot high alternating solid stucco and open wrought iron type fencing with seven (7) foot high posts within the rear yard of Lot 28. The existing condition applies to Lots 24 through 29, with the condition limiting fences within the rear twenty (20) feet of those lots to a maximum height of three (3) feet.

Planner Geiger reviewed and explained the recommended and alternative motion options, as identified in the Staff Report.

Comm. Merz asked if the recommended motion is for wrought iron type fencing only.

Planner Geiger explained that the motion would allow for the applicant's request, however the condition wording would be changed to say "*open wrought iron type fencing*" and anyone wishing to deviate from that requirement in the future would have to come back before the Planning Commission.

Comm. Merz asked if with this condition, a three foot wrought iron type fence would be allowed since the maximum height is six feet.

Planner Geiger responded that is correct.

Comm. Worthington asked for clarification about whether the three foot fence would have to be removed.

Planner Geiger replied that the applicant will be required to remove the three foot fence so that both fences will not be installed there.

Comm. Worthington asked if the intent is to move toward a new style of fence, would all of the lots in question be required to remove the existing three foot fence.

Planner Geiger stated that with this condition, these lot owners will be allowed to keep the existing three foot fence. If they want to change the fencing to a material other than wrought iron, or a height greater than six feet, they will have to appear before the Commission.

Director Wong further explained that the three foot fences were installed by the developer prior to acceptance of the subdivision.

The applicant, James Niles, 12090 Lakeshore North in Auburn came to the podium.

Comm. Worthington asked the applicant about what portions of the proposed fencing would be solid and what portions would be alternating solid and wrought iron.

Mr. Niles replied that the side portions would be solid, and across the rear yard would be alternating solid and wrought iron. They have approximately 15 sections of the wrought iron fencing, which is not enough to use it along the entire rear yard. They are unable to obtain any more of this unique wrought iron.

Comm. Worthington asked the applicant how he feels about living next door to someone with a three foot fence.

Mr. Niles said that he would like to see the neighbors make improvements as well, but recognizes that not everyone can or will desire to change the fence.

Comm. Merz asked the applicant if he has met with staff to discuss how they could meet with staff's concerns.

Mr. Niles stated that he got the impression that staff understands that it must be alternating solid and open fencing due to the amount of fencing he has available to him.

Comm. Merz asked Director Wong if the recommended motion is for approval of the alternating fence or open wrought iron only.

Director Wong responded that staff's recommended motion is for open work wrought iron fencing only, but his impression from the last Commission meeting was that the majority of the Commission wanted to approve the application as it was submitted (for alternating stucco and wrought iron).

Don Carroll, 909 Clipper Gap Road stated that he is in favor of the applicant's proposal. He is the developer of the subdivision, one of the members of the architectural review committee, and a neighboring property owner.

Comm. Merz asked him if he will be upgrading the fence on his property.

Mr. Carroll replied that he will not be building for awhile, but will probably upgrade the fence when he does. He may not do exactly the same fence, but it will depend on the house he builds.

Comm. Worthington asked how many members are on the architectural review committee.

Mr. Carroll stated that it is he and James Scott, another property owner.

The public hearing was closed.

Comm. Kosla stated that he is sure the proposed fence will look nice, and is in favor of Motion B.

Comm. Smith stated that he is in favor of all wrought iron on the rear of the property with a minimum and maximum height of six feet due to the visibility of the fence from Highway 80.

Comm. Kosla **MOVED** to:

Direct staff to amend Resolution #06-14 to approve an amendment to an existing condition of approval for the Woodland Estates subdivision to allow fences and walls within the 20 foot rear yard setback of Lots 24 through 29 (along High Street)(File# SUB AMEND 782) to exceed the 3 foot maximum fence height requirement, subject to review and approval by the subdivision Architectural Committee and the Planning Commission

on a case by case basis. Approve the applicant's request for a six (6) foot high alternating solid stucco and open wrought iron type fence with seven (7) foot posts within the rear yard of Lot 28 (480 Miles Court).

Chrm. Thompson **SECONDED.**

AYES: Kosla, Chrm. Thompson
NOES: Merz, Smith, Worthington
ABSTAIN: None
ABSENT: None

The motion was denied.

Comm. Worthington **MOVED** to:

Amend and adopt Resolution #06-14 to approve an amendment to an existing condition of approval for the Woodland Estates subdivision to require six (6) foot high decorative open work wrought iron type fencing with a maximum post height of seven (7) feet within the 20 foot rear yard setback of Lots 24 through 29 (along High Street) (File # SUB AMEND 782). Amendments to this condition may be considered and approved subject to subdivision Architectural Committee and City of Auburn Planning Commission approval.

Commissioner Worthington also moved to deny the applicant's request for alternating solid stucco and open wrought iron type fencing, and require the applicant to use only open wrought iron type fencing as required by the amended condition.

Comm. Smith **SECONDED.**

AYES: Merz, Smith, Worthington
NOES: Kosla, Chrm. Thompson
ABSTAIN: None
ABSENT: None

The motion was approved.

Chrm. Thompson announced the appeal period for this item.

At Chairman Thompson's request, Item IV-C will be heard prior to Item IV-B due to a conflict of interest in Item IV-B for Chrm. Thompson.

- C: **Vesting Tentative Subdivision Map and Tree Permit – 1161 Oakridge Drive (Sunny Creek Subdivision) – File #SUB 06-1; TP 06-2.** requests approval of a Vesting Tentative Subdivision Map to subdivide a 4-acre parcel into thirteen (13) single-family residential lots ranging in size from 10,013-20,048 square feet. A Tree Permit is also associated with the map for the removal of ±22 protected trees.

Planner Murray gave the staff report. This is a request for one of two subdivisions that are adjacent to one another. An existing single family residence is currently on the property. This request is for a 13-lot single family subdivision, as well as a tree permit for removal of 22 protected trees. The subdivision will have a single culdesac. Lot 1 is where the single family residence is located, and this lot could be further subdivided in the future. All of the lots comply with the minimum lot size requirement of 10,000 square feet. The subdivision will include two common area lots along Oak Ridge Way. Oak Ridge Way will be widened, and curb, gutter and sidewalk will be placed on the west side of Oak Ridge Way. The topography of the subdivision goes from a high in the northeast corner to a low which includes a drainage swale that runs through the property. The eastern lots would be no-grade lots, and the western lots would be padded.

Planner Murray reviewed the proposed drainage plan for the subdivision, as well as sewer service. Staff recommends approval of this project.

Comm. Kosla asked if there will be parking on the street.

Planner Murray said yes, there will be.

Comm. Kosla asked why the fence is being placed on Oak Ridge Way.

Planner Murray stated that it is to be consistent with the other subdivision there.

Comm. Kosla asked about the ingress and egress of the two lots that will be on Oak Ridge Way.

Planner Murray replied that the intent was to limit the number of access points onto roadways. A condition has been added for those lots so that access will be via driveways being placed on the culdesac.

Comm. Merz asked if separated sidewalks were considered.

Planner Murray replied that with the General Plan Amendment in early 2006, projects that were already in queue were not subject to the requirements to provide separated sidewalks. He stated that the applicant was made aware of the option to provide separated sidewalks.

Comm. Worthington asked whether the driveway locations are tentative locations, are a part of the approval.

Planner Murray replied that the map shows the planned locations of the driveways.

Bernie Schroeder, Public Works Engineering Manager came to the podium.

Comm. Worthington asked Ms. Schroeder questions about the storm drain system and whether it is necessary to use concrete for the drainage swales, or if another material would be acceptable.

Ms. Schroeder responded that the design has not been finalized, but it may not be necessary to use concrete.

Comm. Worthington asked where the soil from the export goes.

Ms. Schroeder replied that a grading permit can be obtained for the deposit of the export elsewhere.

Jack Remington, agent for the applicant (Carl Franklin) came to the podium. He stated that the large pipes proposed with this project are often used for developments. He further explained the rationale for the drainage design that is currently being proposed.

Comm. Merz asked if separated sidewalks were considered.

Mr. Remington replied that separated sidewalks were considered, however they would have lost one lot if they had included them.

Comm. Kosla asked if the sound wall was eliminated, would there be room for the separated sidewalk.

Mr. Remington said no, there would not be.

Comm. Kosla asked why the applicant wishes to put a fence there.

Mr. Remington replied that it's purpose is to be aesthetically pleasing.

Comm. Worthington asked for clarification about the type of finish on the pilasters.

Mr. Remington replied that a decision has not yet been made about the type or color of rock that will be used. A proposal will be made to staff for them to approve it.

Mr. Remington explained several items in the proposal.

The public hearing was closed.

Comm. Kosla asked staff if there is a good reason to keep the wall there.

Director Wong responded that the City now requires that a developer builds a fence or wall on major roads.

There was discussion about the requirement for fences.

Director Wong also stated that staff is in favor of the concrete swale to avoid future drainage problems. Staff is recommending more permanent improvements (concrete versus dirt) and other conditions (easements) so future property owners don't change the drainage system.

There was discussion about the possibility of a landscape buffer.

Comm. Merz mentioned that separated sidewalks is the preferable method, and the only reason this subdivision is not required to use separated sidewalks is that the plan for this subdivision was already begun when the City Council implemented the requirement.

Mr. Remington returned to the podium to express his concern about the elevation difference on the lots.

Comm. Worthington asked about the residence that will remain and the grading that will be done to integrate the lot into the subdivision.

Mr. Remington explained what grading would be done.

Comm. Kosla asked Comm. Worthington if there are other options for the concrete swale.

Comm. Worthington described other options that are available.

Comm. Smith commented about his traffic concerns.

Comm. Worthington asked staff to talk about the date of the traffic analysis.

Ms. Schroeder explained the evaluation of the intersection.

Planner Murray stated that the traffic study included everything that would be served off of Oak Ridge Way.

The public hearing was opened.

Paul Petruzzelli of 12550 Floradale Lane came to the podium. He lives across from one of the developments. He suggested the possibility of placing a stop sign on Oak Ridge Way.

Don Mayfarth of 12463 Hyde Park Lane stated that presently there is a major problem with traffic on Oak Ridge Way. He is, however, happy with the proposed developments.

Comm. Worthington pointed out that a stop sign will be placed at the corner of Sunny Creek and Oak Ridge Way, which would be internal to the development.

Comm. Worthington **MOVED** to:

Adopt Resolution 06-18 for the Sunny Creek Vesting
Tentative Subdivision Map (Files #SUB 06-1; TP 06-2)
as presented.

Comm. Smith **SECONDED**.

AYES:	Kosla, Merz, Smith, Worthington, Chrm. Thompson
NOES:	None
ABSTAIN:	None
ABSENT:	None

The motion was approved.

There was a short break after which Chrm. Thompson left Chambers stating that she had a conflict with Item IV-B since she lives near the proposed development. Comm. Merz became Chairman for the remainder of the meeting.

- B. Vesting Tentative Subdivision Map and Tree Permit – 1101 Oak Ridge Way (Summer Ridge Subdivision) - File # SUB 05-3; TP 05-8.** The applicant requests approval of a Vesting Tentative Subdivision Map to subdivide a 4-acre parcel into fourteen (14) single-family residential lots ranging in size from 10,011-10,594 square feet. A Tree Permit is also associated with the map for the removal of ±25 protected trees.

Planner Murray gave the staff report. This subdivision is like the one just presented and is located next to it. The drainage would be coming from the north. If this project does not move forward at the same time as the other one, there is a small detention area that could develop. A condition has been written to address the need for an easement if this is the case. The project has oversized drain pipes to accommodate the on-site detention. The lot has 91 trees and 25 trees will be removed. Staff recommends approval of this project.

The public hearing was opened.

Jack Remington, representative for the applicant (Larry Armstrong) stated that they would give serious consideration to putting in pavers in the overland release with grass, as long as it will work.

Comm. Worthington asked Mr. Remington for more information about the retaining wall at lots 10, 11 & 12, which Mr. Remington provided.

Comm. Worthington asked if an aesthetically pleasing finish could be placed on the walls in those yards.

Mr. Remington offered to do split face on the side of the wall facing the existing property owners.

Ben Jones of 12428 Oak Leaf Court lives directly adjacent to the proposed project. He is also the President of the Oak Ridge Estates HOA. He is generally in favor of the project, however he was not aware of the seven foot retaining wall, and that concerns him. He would like to be consulted as this process continues.

Comm. Kosla asked Mr. Jones if he would be more comfortable with the addition of a condition that the affected property owners be consulted regarding the retaining wall.

Mr. Jones replied that he is inviting further discussion.

The Commissioners agreed that they would like a condition added that the applicant will meet with the three affected property owners to apprise them of the design of the retaining wall and see if there is any input the property owners have.

Mr. Jones asked if the developer may be obliged to implement the current homeowners' suggestions, or listen to what they have to say.

Comm. Merz responded that the developers would try to work with them. If they were unhappy with any of the decisions, they could ask for an appeal through City Council.

Mr. Remington stated that the developer is very interested and willing to work with the existing homeowners.

The public hearing was closed.

Comm. Worthington **MOVED** to:

Adopt Resolution 06-17 for the Summer Ridge Vesting Tentative Subdivision Map (Files # SUB 05-3; TP 05- 8), as modified to include a requirement that the applicant shall meet with the President of the Oak Ridge Estates home owner's association and the Oak Ridge Estates property owners who are located adjacent to the retaining wall proposed along the project's southern property line. The intent of the meeting is to discuss "in good faith" potential design alternatives for the retaining wall. Any potential design changes will require review and approval by the Auburn Community Development Department.

Comm. Kosla **SECONDED**.

AYES:	Kosla, Merz, Smith, Worthington
NOES:	None
ABSTAIN:	Chrm. Thompson
ABSENT:	None

The motion was approved.

ITEM V: COMMUNITY DEVELOPMENT FOLLOW-UP REPORTS

A. City Council Meetings

None.

B. Future Planning Commission Meetings

There will be a Planning Commission meeting on
December 19, 2006.

C. Reports

None.

ITEM VI: PLANNING COMMISSION REPORTS

Comm. Worthington asked Director Wong about the results of his
inquiry to Placer County regarding the Conservation Plan.

Director Wong replied that he is still trying to reach Placer County.

ITEM VII: FUTURE PLANNING COMMISSION AGENDA ITEMS

Comm. Worthington requested that she and Comm. Smith be placed
on the agenda for the next meeting to do a power point presentation
about signs within the Downtown and Old Town areas.

Comm. Kosla suggested that sometime in January or February he'd
like to have Paul Ogden do a presentation about the Performing Arts
Center.

ITEM VIII: ADJOURNMENT

The meeting was adjourned at 8:35 p.m.

Respectfully submitted,

Susan Fraizer, Administrative Assistant

